

DECLARATION FOR PATENT APPLICATION**As a below named inventor, I hereby declare that:**

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "Method and System for Oversubscribing a DSL Modem," the specification of which:

- ☒ is attached hereto.
- ☐ was filed on _____ as Application Serial No. _____.
- ☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date (Month/Day/Year Filed)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Serial Number	Filing Date
<u>60/328,648</u>	<u>Oct. 11, 2001</u>

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 35 U.S.C. 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Serial Number	Filing Date	Status: patented, pending, abandoned
_____	_____	_____

Direct all correspondence to:

Elliot Furman
Skymoon Ventures
3045 Park Blvd.
Palo Alto, CA 94306
(650) 475-1605

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature	<u>Timothy L. Kelliher</u>	Date: <u>2001-02-11</u>
Full name of Sole or first Inventor	<u>Timothy L. Kelliher</u>	
Residence	<u>Alameda, CA</u>	
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POWER OF ATTORNEY/AUTHORIZATION OF AGENT

Application Number:

Filing Date:

Inventor(s): Timothy L. Kelliher

Title: "Method and System for Oversubscribing a DSL Modem"

Group Art Unit:

Examiner Name:

Attorney Docket Number: 010402-01

I hereby revoke all previously granted powers of attorney or authorizations of agent in the above-identified patent application and appoint the following attorney(s) or agent(s) as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Elliot Furman (48,848)

Please address all correspondence and telephone calls to:

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3045 Park Blvd.
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Timothy L. Kelliher

2002-02-11

Date

2002-02-11 22:34:00